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SALT LAKE CITY, UTAH 84101

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APR 25 1979

WATER RIGHTS

TELEPHONE
AREA CODE 801
363-2727

April 25, 1979

Mr. Earl M. Staker
Deputy State Engineer
Utah Department of National Resources
Division of Water Rights
200 Empire Building
231 East 400 South
Salt Lake City, Utah 84111

Re: Temporary Change Applications
~~79-58~~, 79-59, 79-60

Dear Sir:

Enclosed are protests to the applications for change in use of water on Huntington and Cottonwood Creeks filed April 12, 1979 by Utah Power & Light. Protests are made on behalf of George Graham, Chad Moore and Rey Lloyd Hatt. The changes requested were, in fact, accomplished several years ago, and they have detrimentally affected the quality of water and limited the availability of water at their points of diversion.

It is, of course, crucial that any user who may be detrimentally affected by a change in use be given adequate opportunity to present evidence of the effects of the change. The period of notice given has not allowed sufficient time to analyze and assemble the data which will establish the basis of these protests. The evidence in these matters can be quite complicated and of great significance to affected users. In a case where the applicant has been using water for several years already without having properly filed change applications, it would be unfair to deny affected users a meaningful opportunity to present their own evidence.

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Mr. Mark Paige of the Price office indicated to me that the Water Rights Division would be willing to reserve ruling on these applications for such time as is reasonably necessary to submit the evidence referred to. To that end, we hereby formally request that the protestants be given thirty days from the date of the hearing set in this matter to present evidence of the effects on them of the changes in use which are the subject of this application.

Very truly yours,

BLACK & MOORE

Timothy C. Houpt

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TCH:tj
Enclosures
cc: Thomas Forsgren
Utah Power & Light Company